

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

ERIC E. RESTEINER,
Defendant

CRIMINAL NO. 04-10082-NG

JOINT MOTION TO RESCHEDULE SENTENCING DATE AND GOVERNMENT'S
ASSENTED TO MOTION FOR ADDITIONAL TIME

The parties jointly ask the Court to reschedule the date of the sentencing hearing, presently set for May 8, 2006, and the government requests additional time to submit its statement of relevant facts to the United States Probation Office. As basis for the request to reschedule the sentencing, following the plea hearing defense counsel learned that he had a trial scheduled for May 8th. The parties are available any afternoon on May 11th, 15th or 16, to reschedule the sentencing, if the Court has any availability. The sentencing hearing will likely need at least a one hour slot as the government anticipates live victim testimony.

The government also requests additional time to prepare its statement of relevant facts, until February 21st. As the Court can appreciate from the plea hearing, this case involves a fairly complex set of facts and financial transactions and the undersigned Assistant U.S. Attorney and the USAO Auditor simply need additional time to pull together the voluminous

materials in a concise, comprehensive, and readily-understandable manner.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

/s/ Diane C. Freniere
Diane C. Freniere
Assistant U.S. Attorney

/s/John A. Amabile
John A. Amabile, Esquire
Counsel for Defendant

Dated: February 16, 2006